

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

RAYMOND E. MATTHEWS,

Plaintiff,

v.

THE METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY,

Defendant.

No. 3:09-0114

Judge Haynes

MOTION FOR LEAVE TO FILE REPLY

The Metropolitan Government of Nashville and Davidson County ("Metro") respectfully seeks leave to file a reply to Plaintiff's response to Metro's motion for summary judgment. Although the initial case management order in this case states that "[n]o reply shall be filed to any response unless invited by the Court," the case management order also specifically contemplates a reply at the summary judgment stage by including a reply deadline. (Docket Entry No. 20 at 7 & n.1). The motion to extend the summary judgment deadlines, which the court granted, also contemplated a reply at the summary judgment stage by including a reply deadline. (Docket Entry Nos. 45-1 & 47).

Additionally, Plaintiff's response raises a number of issues that warrant further response. Plaintiff's response brief alone is 33 pages (Docket Entry No. 52), 13 pages over the limit outlined in the initial case management order (Docket Entry No. 20 at 7 n.1). Plaintiff also submitted 19 pages of additional facts to which Metro must respond and 19 pages of responses to Metro's statement of facts, many of which contain additional citations (Docket Entry No. 53). Although Metro has not sought to strike Plaintiff's response as being beyond the page limit, Metro respectfully seeks the opportunity to reply to Plaintiff's lengthy response. Many of

ORDER
This motion is
GRANTED.
Will
6-7-10